

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ALONZO JOHNSON,)	
)	
Plaintiff,)	Civil Action No. 2:12-97
)	
v.)	
)	District Judge Nora Barry Fischer
OFFICER ANTHONY SCARPINE; <i>ET</i>)	
<i>AL.</i> ,)	
Defendants.)	

MEMORANDUM ORDER

The above captioned case was initiated by the filing of a motion to proceed *in forma pauperis* (ECF No. 1) on January 30, 2012, and was referred to a United States Magistrate Judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the local rules of court.

On February 16, 2012, the Magistrate Judge filed a Report and Recommendation (ECF No. 6) recommending that the Complaint be dismissed with prejudice in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2)(B)(ii) and/or 28 U.S.C. § 1915A(b) for failure to state a claim upon which relief can be granted. Plaintiff was served with the Report and Recommendation at his listed address and was advised that he had until March 5, 2012 to file written objections to the Report and Recommendation. No objections have been filed.

After *de novo* review of the pleadings and documents in this case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 15th day of March, 2012:

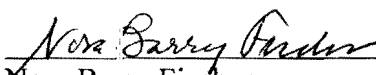
IT IS HEREBY ORDERED that the Complaint is **DISMISSED** with prejudice in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2)(B)(ii) and/or 28 U.S.C. § 1915A(b) for failure to state a claim upon which relief can be granted and it would be futile to allow Plaintiff the opportunity to amend.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF. No. 6) dated February 16, 2012, is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:



Nora Barry Fischer
United States District Judge

Alonzo Johnson
#21857039
Northeast Ohio Correctional Center
2240 Hubbard Road
Youngstown, OH 44505